

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

In re:
Tony Jupiter

Case No. 05-82598

S.S. No.: xxx-xx-4352
Mailing Address: 4803 Barbee Road, Durham, NC 27713-

Debtor.

NOTICE TO CREDITORS AND PROPOSED PLAN

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on September 6, 2005.

THE FILING AUTOMATICALLY STAYS COLLECTION AND OTHER ACTIONS AGAINST THE DEBTOR, DEBTOR'S PROPERTY AND CERTAIN CO-DEBTORS. IF YOU ATTEMPT TO COLLECT A DEBT OR TAKE OTHER ACTION IN VIOLATION OF THE BANKRUPTCY STAY, YOU MAY BE PENALIZED. OFFICIAL NOTICE WILL BE SENT TO YOU AND ALL OTHER CREDITORS GIVING THE NAME AND ADDRESS OF THE TRUSTEE, THE DATE AND TIME OF THE MEETING OF CREDITORS, AND THE DEADLINE FOR OBJECTING TO THE PLAN. YOU MUST TIMELY FILE A PROOF OF CLAIM WITH THE TRUSTEE IN ORDER TO RECEIVE DISTRIBUTIONS UNDER THE PLAN. PLEASE NOTE:

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: September 20, 2005

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt
N.C. State Bar No. 10212
Counsel for the Debtor
6616-203 Six Forks Rd.
Raleigh, N.C. 27615
Tel. No. (919) 847-9750

circular.wpt (rev. 6/7/05)

CERTIFICATE OF SERVICE

Carrie Jordan, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

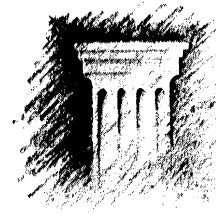
All the creditors set forth on the mailing matrix filing in this case.

/s Carrie Jordan

Carrie Jordan

LAW OFFICES
John T. Orcutt

6616-203 Six Forks Road • Raleigh, NC 27615
(919) 847-9750 • fax (919) 847-3439



Dear Creditor:

Your receipt of the attached **Notice To Creditors of Proposed Plan** tells you that you have been listed as a creditor in a **Chapter 13** case that was recently filed with the **Bankruptcy Court** for the **Middle District of North Carolina**.

The **Notice To Creditors of Proposed Plan** contains valuable information concerning the proposed treatment of your claim.

In the next week or so (if you have not already received it), the Bankruptcy Court itself will mail you additional notice of the case, which contains the following information:

1. The name and address of **the Trustee**;
2. Your rights and obligations as a creditor; and,
3. The date, time and place of the **Meeting of Creditors**.

If you feel that you may have valid objections to this filing, or if you just have questions regarding the proposed handling of your debt under the **Chapter 13 plan**, you should **definitely attend** the creditors' meeting.

Soon after the arrival of the Court's notice, you will receive from the Chapter 13 Trustee further important materials, including the official form for filing your **Proof of Claim**. At this time, you will be advised of the following as well:

1. How to file your Proof of Claim; and,
2. What deadlines will apply in this particular case.

If after reviewing all of these documents, you still find yourself with unanswered questions or concerns, **please do NOT call us**. Due to our finite resources, it is simply impossible to respond to all of our clients' needs at the outset of their cases, while also taking the time to respond to a torrent of telephone calls from their creditors.

Instead, please check for information on the websites provided by the Bankruptcy Court and the Chapter 13 Trustee. The Court's website is located at www.ncmb.uscourts.gov and contains a copy of all documents filed by our office in this case. To find out how to gain access to the Trustee's website, please call the Trustee's office at 919-688-8065.

If all else fails, we will accept and attempt to respond to all written inquiries. These can be mailed or faxed to us. Our mailing address and fax number are set out above.

Please be advised that we represent our client(s). We are not allowed to give you legal advice or to otherwise advise you on your rights or how to handle your claim. We very much appreciate your patient consideration.

LAW OFFICES OF JOHN T. ORCUTT, P.C.